

## SCHEDULES

### SCHEDULE 9

#### CONSEQUENTIAL AMENDMENTS

##### *Mental Health Act 1983 (c. 20)*

- 90 (1) Section 37 of the Mental Health Act 1983 (powers of courts to order hospital admission or guardianship) shall be amended as follows.
- (2) In subsection (1), for “section 2(2) of the Crime (Sentences) Act 1997” there shall be substituted “section 109(2) of the Powers of Criminal Courts (Sentencing) Act 2000”.
- (3) In subsection (1A), for “section 3 or 4 of the Crime (Sentences) Act 1997” there shall be substituted “section 110 or 111 of the Powers of Criminal Courts (Sentencing) Act 2000”.
- (4) After subsection (1A) there shall be inserted the following subsection—
- “(1B) For the purposes of subsections (1) and (1A) above, a sentence falls to be imposed under section 109(2), 110(2) or 111(2) of the Powers of Criminal Courts (Sentencing) Act 2000 if it is required by that provision and the court is not of the opinion there mentioned.”
- (5) In subsection (8) as amended by paragraph 54 of Schedule 8 to the Crime and Disorder Act 1998—
- (a) for “Part I of the Criminal Justice Act 1991” there shall be substituted “the Powers of Criminal Courts (Sentencing) Act 2000”; and
- (b) for “section 58” there shall be substituted “section 150”.
- (6) In subsection (8) as amended by paragraph 11 of Schedule 4 to the Youth Justice and Criminal Evidence Act 1999—
- (a) for “Part I of the Youth Justice and Criminal Evidence Act 1999” there shall be substituted “the Powers of Criminal Courts (Sentencing) Act 2000”; and
- (b) for “any such order as is mentioned in section 7(7)(b) of the Children and Young Persons Act 1969 or section 58 of the Criminal Justice Act 1991” there shall be substituted “a supervision order (within the meaning of that Act) or an order under section 150 of that Act (binding over of parent or guardian)”.
- 91 In section 43 of the Mental Health Act 1983 (power of magistrates' court to commit for restriction order), in subsection (4), for “section 38 of the Magistrates' Courts Act 1980” there shall be substituted “section 3 of the Powers of Criminal Courts (Sentencing) Act 2000”.